

## **LISTING OF THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**1. - 9. (Cancelled)**

- 10. (Currently Amended)** An endoscopic treatment apparatus comprising:  
an elongated sheath having a distal end portion and a through-hole which has an opening at the distal end portion;  
an elongated actuating member having a central axis, a distal end portion, and at least one elastic deformable portion provided at the distal end portion thereof, the actuating member being inserted into the through-hole of the sheath and movable relative to the sheath;  
a treatment section for performing a high-frequency treatment, connected to the elastic deformable portion of the actuating member, the treatment section being laterally extendable for forming a loop when the treatment section is extended from the opening of the sheath by movement of the actuating member, the loop having a distal end, a proximal end, a loop central axis connecting the distal and proximal ends thereof, and a loop plane including the loop central axis, the loop plane being substantially parallel with ~~the central axis~~ a moving axis of the actuating member,  
wherein the loop central axis of the loop is tilted against the ~~central axis~~ moving axis of the actuating member at a tilting angle, by elastic deformation of the elastic deformable portion due to ~~a returning~~ an inherent elastically restoring force, when the treatment section and distal end of the actuating member are extended from the opening of the sheath.

- 11. (Previously Presented)** The endoscopic treatment apparatus according to claim 10, wherein the loop is tilted while maintaining a relation of  $D_1 \geq D_2$ , where  $D_1$  is a length of the loop in a direction perpendicular to the center axis of the actuating member, and  $D_2$  is a length of the loop in a direction parallel to the center axis of the sheath.

**12. (Previously Presented)** The endoscopic treatment apparatus according to claim 10, wherein the loop central axis is maintained in substantially parallel or aligned with the central axis of the actuating member where the elastic deformable portion is positioned in the through-hole of the sheath.

**13. (Previously Presented)** The endoscopic treatment apparatus according to claim 12, wherein the distal end portion of the sheath is bent against the central axis thereof towards a tilting direction of the loop.

**14. (Previously Presented)** The endoscopic treatment apparatus according to claim 10, wherein said at least one elastic deformable portion includes a plurality of elastic deformable portions provided along the central axis of the actuating member.

**15. (Previously Presented)** The endoscopic treatment apparatus according to claim 10, wherein the tilting angle is substantially 90°.

**16. (Currently Amended)** An endoscopic treatment apparatus comprising:  
an elongated sheath which is to be inserted into a body cavity, and having an elongated direction, the sheath having a distal end portion and a through-hole which extends in the sheath along the elongated direction, the distal end portion having an opening communicating with the through-hole;  
an elongated actuating member which is inserted into the sheath to be movable relative to the sheath in the longitudinal direction thereof, the actuating member having a central axis, a distal end portion, and at least one elastic deformable portion provided at the distal end portion thereof;  
a treatment section connected to the elastic deformable portion of the actuating member, the treatment section being expandable for forming a loop which is laterally extended against the central axis of the actuating member by an elastic deformation of the elastic deformable portion ~~a returning by an inherent elastically restoring~~ force, when the treatment section is extended from the opening of the sheath by movement of the actuating member; and

a loop central axis connecting a distal end and a proximal end of the loop being kept to be substantially parallel or aligned with the central axis of the actuating member, when the treatment section is positioned in the through-hole of the sheath; and

the loop central axis is tilted against a moving axis of the actuating member, and a loop plane including the loop central axis is generally parallel with the moving axis of the actuating member.

**17. (Previously Presented)** The endoscopic treatment apparatus according to claim 16, wherein the loop central axis of the loop is tilted at 90° relative to the central axis of the actuating member, when the elastic deformable portion is extended from the opening of the sheath.

**18. - 19. (Canceled)**

**20. (Currently Amended)** The endoscopic treatment apparatus according to claim 10, wherein the loop central axis of the loop is tilted so that the distal end of the loop is extended toward a direction of the returning elastically restoring force of the elastic deformable portion, when the treatment section is extended from the opening of the sheath.

**21 (Currently Amended)** The endoscopic treatment apparatus according to claim 16, wherein the loop is extended toward a direction of the returning elastically restoring force of the elastic deformable portion, when the treatment section is extended from the opening of the sheath.

**22. - 23. (Canceled)**

**24. (Currently Amended)** A method for incising a lesion comprising: inserting a distal end side of a sheath of a high frequency snare into a body cavity through an endoscope;

operating a slider of an operating section provided on a proximal end side of the sheath, so that an incision wire connected to the slider and inserted in the sheath, and a distal end region of an actuating wire connected to the slider at its proximal end side are extended from an opening of the sheath to form a loop by the incision wire;

projecting the distal end region of the actuating wire, so that a longitudinal direction of the loop is tilted against the sheath at an angle, by ~~a returning an inherent elastically restoring~~ force of an elastic deformable portion, formed in the distal end region and set to bias the loop to a predetermined direction;

aligning the longitudinal direction of the formed loop to a longitudinal direction of the lesion, and capturing the lesion into the tilted loop;

operating the slider to contract the lesion captured in the loop; and

applying a current to the incision wire to exercise the lesion by the current.

**25. (New) An endoscopic treatment apparatus comprising:**

an elongated sheath having a distal end portion and a through-hole which has an opening at the distal end portion;

an elongated actuating member having a central axis, a distal end portion, and at least one elastic deformable portion provided at the distal end portion thereof, the actuating member being inserted into the through-hole of the sheath and movable relative to the sheath;

a treatment section connected to the elastic deformable portion of the actuating member, the treatment section being laterally extendable for forming a loop when the treatment section is extended from the opening of the sheath by movement of the actuating member, the loop having a distal end, a proximal end, a loop central axis connecting the distal and proximal ends thereof, and a loop plane including the loop central axis, the loop plane being substantially parallel with a moving axis of the actuating member,

wherein the loop central axis of the loop is tilted against the moving axis of the actuating member at a tilting angle, by elastic deformation of the elastic deformable portion due to an inherent elastically restoring force, when the treatment section and distal end of the actuating member are extended from the opening of the sheath.

26. (New) The endoscopic treatment apparatus according to claim 25, wherein the loop is tilted while maintaining a relation of  $D1 \geq D2$ , where  $D1$  is a length of the loop in a direction perpendicular to the center axis of the actuating member, and  $D2$  is a length of the loop in a direction parallel to the center axis of the sheath.

27. (New) The endoscopic treatment apparatus according to claim 25, wherein the loop central axis is maintained in substantially parallel or aligned with the central axis of the actuating member where the elastic deformable portion is positioned in the through-hole of the sheath.

28. (New) The endoscopic treatment apparatus according to claim 27, wherein the distal end portion of the sheath is bent against the central axis thereof towards a tilting direction of the loop.

29. (New) The endoscopic treatment apparatus according to claim 25, wherein said at least one elastic deformable portion includes a plurality of elastic deformable portions provided along the central axis of the actuating member.

30. (New) The endoscopic treatment apparatus according to claim 25, wherein the tilting angle is substantially  $90^\circ$ .